

PATENT
Docket No. 0524-0140.01

22264 U.S. PTO
10/667823
09/22/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior Application: Examiner: <u>S. Mohamedulla</u> Art Unit: <u>1756</u>	CERTIFICATE OF MAILING BY "EXPRESS MAIL" "Express Mail" Mailing Label No.: <u>EV 321710879</u> Date of Deposit <u>September 22, 2003</u> I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office Box Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231 NAME <u>ARMANDO CHIYI</u> (TYPED OR PRINTED) SIGNATURE <u>Armando Chiyi</u> DATE: <u>September 22, 2003</u>
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BOX PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF FILING UNDER 37 CFR 1.53(b)

1. This is a request for filing a

Divisional

Continuation

application under 37 CFR 1.53(b) of pending prior application Serial No. 09/951,816 filed on September 12, 2001 of Osamu NOZAWA, Masaru MITSUI, Hitoshi OOTSUKA and Hideaki MITSUI for Phase Shift Mask Blank, Photo Mask Blank, And Manufacturing Apparatus And Method Of Blanks.

2. True Copy of Original Prior Application Papers Attached.

I hereby verify that the attached papers are a true copy of the above-identified prior application, including the oath or declaration originally filed (37 CFR 1.60).

3. Amendments

[X] Cancel in this application original claims 1-14 and 23-26 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

[] Please enter the enclosed Preliminary Amendment (prior to calculating the filing fee)

4. Information Disclosure Statement

[] An Information Disclosure Statement is enclosed herewith.

5. Fee Calculation (claims pending after entry of any amendments above)

[] A verified statement of small entity status:

[] has been filed in the parent application and such status is still proper and desired

[] is attached

[X] Other than small entity

For	Number Filed	Number Extra	Rate sm/lg ent.	Fee
Total Claims	9	-20 = 0	x \$9/18	\$0
Independent Claims	2	- 3 = 0	x \$42/84	\$0
Multiple Dependent Claims	No		\$280/140	\$0
Basic Fee (minimum amount required)			\$375/750	\$750
Assignment			\$40	\$0
Total Filing Fee				\$750.00

6. Fee Payment

- [X] A check in the amount of \$750.00 is enclosed
- [] Please charge deposit account 50/1039 in the amount of .
- [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 50/1039. A duplicate copy of this sheet is enclosed.

7. Drawings

- [] New formal drawings are enclosed.
- [X] Informal drawings are enclosed.

8. Foreign Priority

- [X] Priority of application serial no. 2000-277260 filed on September 12, 2000 in Japan is claimed under 35 U.S.C. 119.
- [X] The certified copies has been filed in prior U.S. application Serial No. 09/951,816.
- [] The certified copy will follow.

9. Relate Back -- 35 U.S.C. 120

[X] Please amend the specification by inserting before the first line the sentence:

--This application is a divisional of copending U.S. application serial no. 09/951,816 filed September 12, 2001.--

10. Inventorship

With respect to the prior copending U.S. application from which this application claims benefit under 35 USC 120 the inventor(s) in this application is (are):

[X] the same

[] less than those named in the prior application and it is requested that the following inventor(s) identified above for the prior application be deleted:

11. Assignment

[X] The prior application is assigned of record to Hoya Corporation.

[] An assignment of the invention to _____ is attached (with cover sheet) for recording.

12. Maintenance of Copendency of Prior Application

[] A petition, fee and response has been filed to extend the term in the pending prior application until _____ or

[] A conditional petition for extension of time is being filed in the pending parent application

[X] No petition for extension of time is believed to be necessary. If any such petition is needed, please consider this such a petition and charge our deposit account 50/1039 for the necessary fee.

13. Power of Attorney

[X] The power of attorney in the prior application is to:
Edward D. Manzo, registration no. 28,139

- [] The power appears in the original papers in the prior application.
- [X] Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- [X] Address all future communications to:

Edward D. Manzo
Cook, Alex, McFarron, Manzo, Cummings & Mehler, Ltd.
200 West Adams St., Ste. 2850
Chicago, IL 60606

Respectfully submitted,

Date: September 19, 2003


Mark J. Murphy
Registration no. 34,225

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